

1958

Year

107
Chapter

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Form No. 88--2000

State of New York

In Assembly

FEB 1 0

1958

Ordered, That the Clerk deliver the bill entitled

AN ACT

To amend the penal law, in relation to the sale or possession
of gravity knives

to the Senate, and request its concurrence in the same.

By order of the Assembly

ANSLEY B. BORKOWSKI

Clerk

1

IN SENATE
Passed Without Amendment

FEB 24 1958

By order of the SENATE

William S. Key
SECRETARY



STANLEY STEINGUT
271 MADISON AVENUE
NEW YORK CITY

THE ASSEMBLY
STATE OF NEW YORK
ALBANY

RECEIVED

FEB 27 REC'D

COUNSEL TO THE GOVERNOR

February 26, 1958

Hon. Daniel Gutman
Counsel to the Governor
Executive Chamber
Albany, N. Y.

Dear Dan:

My bill Assembly Introductory 913,
Print 1796, simply includes gravity knives
in Section 1896 which makes any person who
sells or has in his possession certain
dangerous weapons guilty of a misdemeanor.

The gravity knife has come into
being as a circumvention of this section and
is the successor of the switchblade knife.
The gravity knife is not violative of this
section and, therefore, it is imperative that
it be included.

Sincerely yours,

Stanley
STANLEY STEINGUT
Member of Assembly

SS:ak

FRANCIS S. MCGARVEY
SUPERINTENDENT

STATE OF NEW YORK



NEW YORK STATE TROOPERS
EXECUTIVE DEPARTMENT
DIVISION OF STATE POLICE
ALBANY

GEORGE M. SEARLE
DEPUTY
CHIEF INSPECTOR
MARTIN F. DILLON
CHIEF INSPECTOR

A-713 February 26, 1958.

Hon. Daniel Gutman,
Counsel to the Governor,
Executive Chamber,
Albany, N.Y.

Dear Judge Gutman:

This acknowledges your memorandum, enclosing Assembly Bill Print No. 913-1796 Int. 913, an act to amend the penal law, in relation to the sale or possession of gravity knives.

The proposed legislation deals with a technicality concerning a type of dangerous weapon and clarifies and reinforces existing law. The Division recommends approval.

Very truly yours,

Francis S. McGarvey

Francis S. McGarvey
Superintendent.

FSMcG/m.



THOMAS J. McHUGH
COMMISSIONER
WILLIAM E. FLANIGAN
EXECUTIVE ASSISTANT

STATE OF NEW YORK
DEPARTMENT OF CORRECTION
ALFRED E. SMITH STATE OFFICE BUILDING
ALBANY

WILLIAM E. LEONARD
DEPUTY COMMISSIONER
CHARLES S. ANTOLINA
DEPUTY COMMISSIONER
SOLOMON KAUFMAN
DEPUTY COMMISSIONER

February 27, 1958

Re: An act to amend the penal law, in relation
to the sale or possession of gravity knives

Assembly Int. 913 - Pr. 913, 1796
Assemblyman Steingut - Introducer

A 913

Hon. Daniel Gutman
Counsel to the Governor
Executive Chamber
Albany, New York

Dear Sir:

Pursuant to your request for comment, please be
advised that this Department has no objection to the
approval of the above bill.

Very truly yours,

S. Kaufman

Solomon Kaufman
Deputy Commissioner

sk:hgj

CLASS OF SERVICE
This is a fast message unless its deferred character is indicated by the proper symbol.

WESTERN UNION TELEGRAM

W. P. MARSHALL, PRESIDENT

1201

SYMBOLS
DL = Day Letter
NL = Night Letter
LT = International Letter Telegram

The filing time shown in the date line on domestic telegrams is STANDARD TIME at point of origin. Time of receipt is STANDARD TIME at point of destination

SYD138

SY NNB753 NL PD=NEWYORK NY 27=

GOVERNOR W A HARRIMAN=

1958 FEB 27 PM 8 18

ALBANY NY=

ADVISED BILL REGARDING GRAVITY KNIVES PASSED SENATE
ASSEMBLY NOW AWAITING YOUR SIGNATURE OUR ASSOCIATION
URGES YOU SIGN=

QUEENS COUNTY GRAND JURORS ASSOCIATION INC
CLEMENS GRAFE=

7

THE COMPANY WILL APPRECIATE SUGGESTIONS FROM ITS PATRONS CONCERNING ITS SERVICE

March 4, 1958

My dear Mr. Grafe:

On behalf of Governor Harriman, I
acknowledge receipt of your recent communication
regarding the legislation concerning gravity
knives.

The Governor has asked me to thank
you for advising him as to your views in the
matter.

Cordially yours,

DG:efbb

Mr. Clemens Grafe, Queens County Grand Jurors Assoc.
Queens Medical Society Building
112-25 Queens Boulevard
Forest Hills 75, New York

Queens County Grand Jurors' Association, Inc.

NEW YORK

President

HERMAN C. HANSEN
166-33 89th Avenue
Jamaica 32, N. Y.
REpublic 9-3243

Vice-Presidents

EMIL J. HORN
HERMAN WEBER
VINCENT J. ASHTON

Counsel

FRANK M. NICOLosi



Organized 1925

Place of Meeting
QUEENS MEDICAL SOCIETY BUILDING
112-25 Queens Boulevard
Forest Hills 75, N. Y.

ROBERT ELLIOTT, JR., Treasurer
72-16 67th Place, Glendale 27, N. Y.
Tel. HEgeman 3-8393

STEPHEN F. SCHNEIDER, Secretary
53-29 62nd Street
Maspeth 78, N. Y.
Tel. HAvenmeyer 9-4003

Legislation Committee

Clemens Grafe, Chairman
86-29 78 Street, Woodhaven 21, N. Y.

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*EMIL C. ZIMMERMANN

February 28, 1958

Governor Averell Harriman
State Capitol Building
Albany, New York

Honorable Sir:

I am confirming on behalf of our Association the following telegram sent to you on yesterday's date.

"Advised bill regarding Gravity Knives passed Senate Assembly. Now awaiting your signature. Our Association urges you sign."

Due to the teenage problem at present prevalent in New York City the passage of the bill in our opinion will improve conditions in our City by its enforcement.

Your co-operation is enlisted in this matter and our Association would appreciate receiving your comments at your earliest convenience.

Anticipating your favorable reply.

Sincerely yours,

Clemens Grafe

[REDACTED]

NOV 3 4 11 PM 2011

March 6, 1958

My dear Mr. Grafe:

On behalf of Governor Harriman, I acknowledge your letter of February 28, 1958 concerning legislation outlawing the use of gravity knives.

You will be pleased to know that Governor Harriman approved this bill yesterday and it is now part of the laws of our state.

Cordially yours,

Mr. Clemens Grafe
Queens County Grand Jurors' Association, Inc.
86-29 78th Street
Woodhaven 21, New York

EG:WJ:ms

COMMITTEE TO BAN TEEN-AGE WEAPONS

STATE SEN. FRANK J. PINO
Vice Chairman

HON. JOHN E. CONE
Chairman

CITY COUNCILMAN JACK KRANIS
Vice Chairman

IN COOPERATION WITH
THE YOUTH SERVICE LEAGUE
HON. ALBERT M. LEAVITT, President

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Archdiocese of N. Y.
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Retired Justice, Kings County Court
GEORGE H. HEARN
City Councilman
ALEXANDER G. HESTERBERG
Tax Commissioner
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Police Comm., City of New York
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Surrogate's Court, Kings County
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FRANK D. O'CONNOR
District Attorney, Queens County
FRANK J. PINO
State Senator
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Protestant Council
REV. VINCENT J. POWELL
CYO Brooklyn Diocese
DR. EDWARD D. RE
Professor, St. Johns Law School
ARTHUR J. ROGERS
Director of Community Relations,
New York City Youth Board
JOHN J. RYAN
Assemblyman
ARTHUR M. SCHREIER
JOSEPH T. SHARKEY
Majority Leader,
New York City Council
EDWARD S. SILVER
District Attorney, Kings County
RABBI RALPH SILVERSTEIN
Temple Sinai
ABE STARK
President, New York City Council
STANLEY STEINGUT
Assemblyman
EDWARD THOMPSON
Justice, Court of Special Sessions
RALPH WHELAN
Executive Director,
New York City Youth Board
JOSEPH ZARETZKI
Minority Leader, State Senate
WOMEN'S DIVISION
RITA DEVELIN
MAXINE DUBERSTEIN
SYLVIA EPSTEIN
LEE SINGER
ROSE SINGER

The Committee seeks to:

- Outlaw the "gravity knife."
- Limit the sale of bullets in New York City.
- Establish a temporary Commission to help modernize the Sullivan Law.
- Ban the importation and shipment in interstate commerce of switchblade and gravity knives.

March 6, 1958

Dear Governor Harriman,

You will note on the petitions submitted to you by Judge Cone in support of the bill to outlaw the "gravity knife" the message to return to me on thousands of signatures (see enclosed sample) I call this to your attention so you will consider the strength the Starchus of NYC might have if aroused to use it

They are really a dedicated group with a sincere interest in our youth. I should like to be able to tell them that you helped us. Please give enclosed appeal your careful consideration. Respectfully yours

COMMITTEE TO BAN TEEN-AGE WEAPONS

714 FIFTH AVENUE, NEW YORK 19, N. Y.

Circle 5-2570-1

HON. JOHN E. CONE
Chairman

STATE SENATOR FRANK J. PINO
Vice Chairman

GEORGE SAPAN
Treasurer

CITY COUNCILMAN JACK KRANIS
Vice Chairman

MRS. NATHANIEL SINGER
Chairman, Women's Division

IN COOPERATION WITH
THE YOUTH SERVICE LEAGUE

HON. ALBERT M. LEAVITT, President



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Director, St. Vincent's Home for Boys

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Borough President, Brooklyn

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Dir. Bureau of Attendance,
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ANTHONY J. DI GIOVANNA
Justice, Supreme Court, Kings County

ROSS DI LORENZO
Counsel, Workman's Compensation

ROBERT W. DOWLING
President, City Investing Co.

JOHN GALARDI

REV. ROBERT GALLAGHER
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HON. JONAH GOLDSTEIN
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GEORGE H. HEARN
City Councilman

ALEXANDER G. HESTERBERG
Tax Commissioner

MORRIS HORN
Labor Representative

HULAN E. JACK
Borough President, Manhattan

NATHANIEL KAPLAN
Justice, Court of Domestic Relations

EDNA F. KELLY

STEPHEN P. KENNEDY
Police Comm., City of New York

ABRAHAM KRADITOR
Past Nat'l Comm. J.W.V.

JACK KRANIS

City Councilman

ANNA M. KROSS
Commissioner, Dept. of Corrections
City of New York

ALBERT M. LEAVITT
Chief Clerk,
Surrogate's Court, Kings County

DR. JULIUS MARK
Senior Rabbi, Temple Emanu-El

EMILIO NUNEZ

Justice, City Court

FRANK D. O'CONNOR

District Attorney, Queens County

FRANK J. PINO

State Senator

(OVER)

We the undersigned urge the following
legislative program to help ban ten-age
weapons:

- Outlaw the "gravity knife."
- Limit the sale of bullets in New York City.
- Establish a temporary Commission to help modernize the Sullivan Law.
- Ban the importation and shipment in interstate commerce of switchblade and gravity knives.

NAME

ADDRESS

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RETURN AS SOON AS POSSIBLE TO:
RITA DEVELIN
301 EAST 26TH STREET
BROOKLYN 26, NEW YORK

13



STATE OF NEW YORK
DEPARTMENT OF LAW
ALBANY

LOUIS J. LEFKOWITZ
ATTORNEY GENERAL

MEMORANDUM FOR THE GOVERNOR

Re: Assembly Int. 913, Pr. 1796

This bill amends the Penal Law, Section 1896, which makes it a misdemeanor for a person to manufacture, sell, loan, lease or give a switchblade to any other person. The amendment similarly condemns the sale, loan or lease of gravity knives which are defined therein to be knives containing blades automatically opened by the force of gravity. Section 1897, subdivision 3, relating to the possession, is amended to permit the carrying of gravity knives in certain circumstances.

There is no legal objection to this bill.

Dated March 3, 1958

Respectfully submitted,

Louis J. Lefkowitz
LOUIS J. LEFKOWITZ
Attorney General

NYC 55-10M-120021(58) 114

THE CITY OF NEW YORK



REPORT ON STATE LEGISLATION—APPROVED

Use a separate form for each bill. If necessary, continue on a blank sheet showing introductory and print numbers and pertinent item numbers.

Submit in Duplicate to Legislative Representative as follows:

Original to Room 1100, De Witt Clinton Hotel, Albany, N. Y.

Duplicate to Office of the Mayor, City Hall, New York 7, N. Y.

To: THE MAYOR
Att. The Legislative Representative

From: Reporting
Agency: POLICE DEPARTMENT

1. IDENTIFYING DATA (as printed on face of bill)

SENATE INT. NO. PRINT NO. , INTRODUCER

ASSEMBLY INT. NO. 913 PRINT NO. 913, 1796 , INTRODUCER Steingut

TITLE OF THE BILL (Abbreviate if necessary) AN ACT to amend the penal law, in relation to the sale of possession of gravity knives.

2. ESTIMATED COST OR INCOME
(Indicate sum total of estimated mandated expenses, revenue losses or income to City)

Expenses or Loss	Income

3. STATUS OF THE BILL (as printed above bill's title or rubber stamped on bill)

IN COMMITTEE ☐

ADVANCING ON CALENDAR ☐

BEFORE THE GOVERNOR ☒

4. EFFECT OF BILL AND REASONS FOR RECOMMENDATION

(a. Describe legal effect of the bill and outline reasons for your recommendations. b. Include detailed analysis of any estimate shown in Item 2. c. Cite introductory and print numbers of identical or similar bills of current and prior years reported on by your agency and its recommendations thereon.)

This proposal would amend Section 1896 and subdivision 3 of Section 1897 of the Penal Law. The bill defines as a misdemeanor the manufacture, sale or possession of a gravity knife and as a felony the possession of such a knife if previously convicted of any crime. The gravity knife is one which is released from the handle or sheath thereof by gravity or by the application of centrifugal force. When released, it is locked in place by means of a button, spring, lever or other device.

Under the present statutes covering dangerous and unlawful weapons, the switchblade knife is included therein while there is silence as to the gravity knife. There can be no doubt that the gravity knife is as much a hazard to the safety of the general public as the switchblade knife. Since it has been made unlawful to have and possess a switchblade knife, the gravity knife has been most attractive and useful to those engaged in criminal activity. The experience of this Department indicates that gravity knives are being used increasingly as weapons in the perpetration of such crimes as homicides, assault, rape and robbery. Naturally, since it is not unlawful to possess such a knife under present law, the person about to commit such heinous crimes has no fear of being apprehended with such knife in his possession. As a result, one of the deterrent factors in the prevention of serious crimes is lost.

NYC 55-10M-120021(58) 114

THE CITY OF NEW YORK

REPORT ON STATE LEGISLATION—APPROVED



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Submit in **Duplicate** to **Legislative Representative** as follows:

Original to Room 1100, De Witt Clinton Hotel, Albany, N. Y.

Duplicate to Office of the Mayor, City Hall, New York 7, N. Y.

To: **THE MAYOR**
Att. **The Legislative Representative**

From: Reporting
Agency **POLICE DEPARTMENT**

1. IDENTIFYING DATA (as printed on face of bill)

SENATE INT. NO. PRINT NO. , INTRODUCER

ASSEMBLY INT. NO. **913** PRINT NO. **913, 1796**, INTRODUCER **Steingut**

TITLE OF THE BILL (Abbreviate if necessary)

2. ESTIMATED COST OR INCOME
(Indicate sum total of estimated mandated expenses, revenue losses or income to City)

Expenses or Loss

Income

3. STATUS OF THE BILL (as printed above bill's title or rubber stamped on bill)

IN COMMITTEE ☐

ADVANCING ON CALENDAR ☐

BEFORE THE GOVERNOR ☒

4. EFFECT OF BILL AND REASONS FOR RECOMMENDATION

(a. Describe legal effect of the bill and outline reasons for your recommendations. b. Include detailed analysis of any estimate shown in Item 2. c. Cite introductory and print numbers of identical or similar bills of current and prior years reported on by your agency and its recommendations thereon.)

- 2 -

The gravity knife is inherently dangerous. To children and adults not versed in the use of such weapons, this knife can cause very serious injuries.

For the above reasons, this Department strongly urges the enactment of this proposal.

16

POLICE COMMISSIONER

March 3, 1958

SIGNATURE OF AUTHORIZED OFFICER

TITLE

DATE

CAPITALDOCUMENTS

5184491332

38/44

11:13:27 04-07-2011

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*Bill davis***THE COUNCIL**

Res. No. 8

*A913***Resolution Calling Upon the State Legislature to Pass Legislation Prohibiting the Sale of Gravity Knives.**

By Mr. Kranis—

Whereas, State Legislation to ban the sale of gravity knives is the crying need in the City of New York; and

Whereas, Such legislation has been discussed by prominent people in public life and they have urged such legislation; and

Whereas, The public prosecutors of The City of New York have all campaigned for such legislation; and

Whereas, The manufacturing of such gravity knives and the sale of them to teenagers, increases crime and juvenile delinquency; and

Whereas, The 1952 Legislature had outlawed the sale of switchblade knives to persons under 16; and

Whereas, Such law had not prohibited the sale of such gravity knives and because of such omission in the 1952 law in not prohibiting the sale of gravity knives, find themselves in abundance in the hands of teenagers with resultant increase in crimes; and

Whereas, Such legislation against the sale of gravity knives would be an important factor in curtailing juvenile delinquency; now, therefore, be it

Resolved, That the City Council go on record to asking the State Legislature to pass such legislation; and be it further

Resolved, That the Governor of the State of New York urge the State Legislature to pass said legislation; and be it further

Resolved, That a copy of this resolution be sent to His Excellency, the Governor of the State of New York and the Majority and Minority Leaders of both houses.

The City of New York, }
 Office of the City Clerk, } ss.:

I hereby certify that the foregoing is a true copy of a
 Resolution passed by The Council of The City of New York on
FEBRUARY 18, 1958 on file in this office.

Thomas H. Kranis

 City Clerk, Clerk of the Council.